



Miedel & Mysliwiec LLP

January 24, 2024

Hon. Rachel P. Kovner
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *United States v. Luis Rivas*, 18-CR-398 (RPK)

Dear Judge Kovner:

Upon further reflection and discussions with the government, we will agree to the Court's offer to make no factual findings about whether or not Mr. Rivas's prior convictions constituted relevant conduct because the determination would have no impact on Mr. Rivas's sentence under the Rule 11(c)(1)(C) plea. Accordingly, we do not intend to file a letter to further press the arguments relating to relevant conduct made at yesterday's sentencing proceeding, and the parties are ready to proceed with sentencing at the Court's convenience.

Thank you for your consideration.

Respectfully submitted,

/s/

Florian Miedel
Jeremy Schneider
Attorneys for Luis Rivas

Cc: All Counsel